

REMARKS/ARGUMENTS

On April 1, 2004, a Final Office Action was mailed in connection with this application rejection claims 1-8 under 35 U.S.C. 103(a) for allegedly being unpatentable over U.S. Patent 5,693,876 issued to Ghitea, Jr. and U.S. Patent 4,180,860 issued to Driscoll et al. On July 30, 2004, a Response to the Final Office Action was filed. On September 30, 2004, an Advisory Action was mailed indicating that the Response to the Office Action has been considered but does not place the application in condition for allowance. On October 1, 2004, a Notice of Appeal was filed.

The instant Amendment is being filed concurrently with a Request for Continued Examination (RCE) to further continue the substantive examination of the instant application. The instant Amendment responds to the Final Office Action dated April 1, 2004.

According to the Final Office Action, claims 1-8 stand rejected under 35 U.S.C. 103(a) for allegedly being unpatentable over Ghitea Patent and the Driscoll Patent. For the following reasons, this rejection is respectfully traversed insofar as it applies to claims 1-8 as amended.

Independent claims 1 and 5 are amended to positively claim the motor vehicle in which the indicator and its method of operation are to be performed. More specifically, claim 1 is amended to recite a "Process for visual display of information performed in a motor vehicle[[s]] with an electronically controllable display . . . " Claim 5 is amended to recite an "Indicator for visual display of information [[in]] incorporated into a motor vehicle[[s]] with an electronically controllable display . . . " It is respectfully submitted that the cited prior art reference, alone or in combination, does not teach or suggest the claimed invention.

The Ghitea Patent only describes a display with a single graphical representation, namely the vertical bars 159 associated with the percent difference in the filtered fuel economy as compared to the target fuel economy

(See Figure 7, col. 9, lines 49-62). In this Patent, there is no description or suggestion of a display containing at least two interrelated information illustrated graphically in the same location with the same type of graphical representation but with different labeling, as specified in the claims.

The Driscoll Patent does not relate at all to displays for motor vehicles. Instead, it describes an industrial process control system having a display with a pair of bar type graphical display features. There is no teaching or suggestion in the Driscoll Patent of using that type of display in motor vehicles. Further, it does not appear that one skilled in the relevant art of motor vehicle design would consult such a reference dealing with industrial process control in the design of motor vehicle displays.

According to the Final Office Action, it is alleged that it is appropriate to combine the Ghitea Patent with the Driscoll Patent because they are allegedly both in the same field of presenting information on a display unit. This allegation is respectfully traversed. The field associated with the Ghitea Patent relates to motor vehicles. However, as explicitly stated in the Driscoll Patent, the field of that patent relates to "industrial process control instrumentation" (see col. 1, lines 8-9).

The different fields (motor vehicles v. process control instrumentation) are substantially different that there is a lack of motivation to combine these references. For instance, there are different considerations in their respective display designs. For example, in motor vehicles, the displays are designed with the consideration that the driver needs to keep his eyes on the road. Whereas, in industrial process control instrumentation, such consideration is not taken.

New claims 9-14 are added herein by amendment.

In view of the foregoing amendments and remarks, allowance of this patent application is respectfully requested.

Respectfully submitted,

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